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Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

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Item 5 (c) of the provisional agenda*

Review of progress in the elaboration of a comprehensive and integral international convention on the protection and promotion of the rights and dignity of persons with disabilities: outcomes of technical meetings and seminars

Outcomes of an interregional and regional demonstration workshop on accessible ICT and persons with disabilities, held in Manila from 3 to 7 March 2003

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MANILA DECLARATION ON ACCESSIBLE INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT)

7 March 2003 (adopted, as orally amended)

We, the participants in the Interregional Seminar and Demonstration Workshop on Accessible ICT and Persons with Disabilities, held at Manila from 3 to 7 March 2003, representing the countries of Bangladesh, Brunei Darussalam, Cambodia, Canada, Indonesia, Lao People's Democratic Republic, Myanmar, Pakistan, the Philippines, Thailand, Vietnam, and the United States of America, declare:

1. Possibilities to access the virtual world and knowledge-based economies by means of the global Internet and related information and communications technologies remain limited to many people in countries, persons with disabilities in particular. Strategic initiatives to address a digital divide must also address a human capabilities divide and be appropriate to countries. Strategic initiatives should include, but not be limited to, investments in education and training to promote literacy and build national capacities for sustainable livelihoods to improve well-being. Initiatives must be gender sensitive, cohort neutral and disability responsive.

2. Accessibility is recognized as an essential component of broad rights-based approaches to development. As presented in Rule 5 (Accessibility) of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities [1], accessibility is important for equalization of opportunities in the full and effective exercise of civil and political rights as well as economic, social and cultural [2]. Access to the physical environment and access to information and communications impact the full scope of social life and development for all and can promote equality and opportunities for full participation for everyone.

3. Our seminar and workshop have focused on accessible information and communications technologies (ICT) with reasonable accommodation because it empowers and enables persons with disabilities to full and equal participation in social, economic and cultural life and in their exercise of civil and political rights. At the same time, we have learned from our presentations and dialogue that ICT is a member of the larger set of electronic and information technology products, equipment systems and services that store, process, transmit, convert, duplicate or receive digital information. Electronic and information technology products include photocopiers, computers, personal digital assistants (PDAs), facsimile machines, information transaction machines or kiosks, automatic transaction machines (ATMs), voting machines, operating systems, software (including application generators and development tools), Web sites, public mass media (radio, television and cinema) and telecommunications systems and devices. While accessibility in the full range of electronic and information technology products and services is beyond the scope of our seminar and workshop, as a general consideration, we are of the view that electronic and information technology products and services should provide accessibility with reasonable accommodation. Similar considerations pertain to provision of accessibility with reasonable accommodation in transportation systems and their user interfaces.

4. Accessible ICT with reasonable accommodation recognizes the flexibility of technologies to provide appropriate functionality necessary for meeting user needs and preferences. Addressing ICT accessibility with reasonable accommodation empowers and serves as a catalyst and instrument for re-engineering governmental, as well as non-governmental and enterprise processes. Participants of the seminar and workshop note that the promotion and realization of ICT accessibility with reasonable accommodation requires consultation and advocacy of the fundamental importance of the topic with governments at all levels and in all sectors of the societies in which we live and work.

5. A major contribution of the seminar and workshop has been the opportunities provided for exchanges of knowledge, ideas and good practices to promote and realize accessible ICT with reasonable accommodation. Participants of the seminar and workshop attach special importance to the continuation of these exchanges as follow-up to the seminar and workshop by means of open and transparent networks concerning accessible ICT. A primary objective of the networks would be to promote awareness and support for accessible ICT with reasonable accommodation appropriate to the conditions in our countries that would meet the needs and preferences of diverse users. The networks also should provide opportunities to inform about good practices as well as resources available to advocate accessible ICT with reasonable accommodation, to create awareness and to build national capacities. In this regard, participants note with considerable appreciation the offer of the Asia-Pacific Office of Disabled Peoples' International (DPI) and the International Center for Disability Resources on the Internet (ICDRI) (non-governmental organizations) to moderate network dialogue and exchanges in close association with the National Organizing Committee, in particular the "WebAble" publication of the National Council for the Welfare of Disabled Persons (NCWDP) of the Republic of the Philippines.

6. Participants recognize that accessible ICT with reasonable accommodation is part of broad rights-based approaches to development. Operationally, accessible ICT with reasonable accommodation provides the flexibility to accommodate the needs and preferences of the widest range of users. The value proposition of accessible ICT with reasonable accommodation is equality through inclusive solutions based on full and effective participation. Accessible ICT with reasonable accommodation builds upon Universal Design concepts and principles and are summarized in the attached "Manila Accessible ICT (information and communications technologies) Design Recommendations."

7. Participants further recognize that promotion and implementation of the "Manila Accessible ICT Design Recommendations" will involve commitments of resources of a normative, substantive and financial nature. Three products assume special importance for concerted, practical and immediate follow-up to the seminar and workshop; and the support of the United Nations is urgently requested:

(a) Preparation of a global comparative study on norms and standards related accessibility with reasonable accommodation that will provide critical input for promotion and advocacy of the "Manila Accessible ICT Design

Recommendations" in countries and respond to the request of the first session of the Ad Hoc Committee to consider proposals for a comprehensive and integral convention to promote and protect the rights and dignity of persons with disabilities concerning input from experts and persons with disabilities in the matter of accessibility with reasonable accommodation (A/57/357, paragraph 15, as endorsed by General Assembly resolution 57/229 of 18 December 2002).

(b) Development, testing and evaluation of a pilot validation tool to test and evaluate online Web site compliance with the minimum threshold of accessibility with reasonable accommodation set forth in the "Manila Accessible ICT Design Recommendations."

(c) Preparation of a scheme for training and resource materials on norms, standards and substantive aspects of accessibility with reasonable accommodation to build national capacities and to provide input to activities of the accessible ICT network.

Notes:

1 General Assembly resolution 48/96, annex of 20 December 1993 http://www.un.org/esa/socdev/enable/dissre00.htm.

2 See International Covenant on Civil and Political Rights, adopted by General Assembly resolution 2200A (XXI) of 16 December 1966 < http://www.unhchr.ch/html/menu3/b/a_ccpr.htm >; and International Covenant on Economic, Social and Cultural Rights, adopted by General Assembly resolution 2200A (XXI) of 16 December 1966 < http://www.unhchr.ch/html/menu3/b/a_cescr.htm >.

MANILA ACCESSIBLE INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT) DESIGN RECOMMENDATIONS

7 March 2003 (adopted, as orally amended)

Recognizing that information and communication technologies (ICT) accessibility barriers are systemic and reach all sectors of our global economy, and that ICT accessibility barriers prevent the global community of persons with disabilities from full and equal participation and enjoyment in daily life; and

Noting that the global community is prevented from being enriched by our diverse abilities and contributions; and

Acknowledging that Universal Design [1] concepts inform public policy by calling for the development of ICT flexible enough to accommodate the needs and preferences of the broadest range of users, regardless of age or disability or the limitations of our computer equipment; and

Noting that accessible ICT:

- removes communications and information access barriers that restrict business and social interactions between persons with disabilities and non-disabled persons;
- removes age-related barriers to participation in society;
- reduces language and literacy-related barriers to society;
- reduces risk of information worker injuries and
- enhances global commerce opportunities. [2]

Therefore, the "Manila Declaration on Accessible ICT" confirms that we are at a significant crossroad where ICT accessibility barriers need to be addressed at all levels effectively and urgently, and call for progress on the elaboration of a comprehensive and integrated international convention on the rights of persons with disabilities in the context of development, endorsed by General Assembly resolution 56/168 of 19 December 2001.

The normative basis for the "Manila Accessible ICT Design Recommendations" is Rule 5 (Accessibility) of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities [3] that provides "States should recognize the overall importance of accessibility in the process of equalization of opportunities . . . . and should . . . undertake measures to provide access to information and communication."

The conceptual basis for the "Manila Accessible ICT Design Recommendations" is Universal Design in the light of its concern with designs that meet the needs of diverse users through inclusive solutions and open and democratic participation. The business

case for Universal Design is based on the fact that benefits extend beyond the community of people with disabilities. In the case of ICT, designs based on universal concepts provide for flexibility to accommodate those who operate in low bandwidth settings, use cell phones to synthesize text and access the Internet by means of alternative devices. Five considerations in the design for accessibility with reasonable accommodation are important:

- *Content* is organized and presented appropriate to the interests, needs and preferences of end users;
- *Aesthetics* of the design accommodate the needs and preferences of diverse users;
- *Accessibility* of the design benefits all users as well as users with special needs;
- *Usability* of the design allows users to access, navigate, search and leave the information resource easily, intuitively and without barriers;
- *Sustainability* of the design is based on content management that affords flexibility to accommodate needs and preferences of diverse users.

The operational focus of the "Manila Accessible ICT Design Recommendations" is timely and reliable information goods and services appropriate to each user.

The "Manila Accessible ICT Design Recommendations" are based on the premise that accessibility by reasonable accommodation can be achieved easily and efficiently with the application of "first principles" of accessibility. For accessible Web design, two principles are central: [4]

- Every visual element should be implemented with a textual element that describes it. Alternative text <alt> allows for description of graphical images.
- The structure and layout of the document should be dealt with separately. Structure is defined by HTML (Hypertext Markup Language) elements and attributes; and layout is defined by style sheets. Separation of layout from content aids text browsers to extract easily the logical structure of the document.

The "Manila Accessible ICT Design Recommendations" seek to address problems of barriers in Web-based information goods and services with the identification of a select set of "electronic curb cuts" [5] that provide flexibility for accommodating each user's needs and preferences. [6] For example:

1 Provide an Access Instruction page for visitors (explaining the accessibility features of the Web site and providing an e-mail hyperlink for visitors to communicate problems with Web page accessibility);

2. Provide support for text browsers and descriptive hyperlinks (links such as "this" and "click here" do not alone convey the nature of the target link);
3. Attach ALT<alt> (alternative) text to graphic images so that assistive computer technology such as screen readers can reach the content;
4. For each photograph contributing meaningful content to the page, provide a "D" hyperlink to a page providing descriptive text of the image;
5. Provide text transcriptions or descriptions for all audio and video clips;
6. Provide alternative mechanisms for online forms since forms are not supported by all browsers (such as e-mail or voice/TTY phone numbers);
7. Avoid access barriers, such as the posting of documents in Adobe ® PDF (Portal Document Format), non-linear format, Frame format or requiring visitors to download software to access the content. If posting in Adobe ® PDF, accessible HTML (Hypertext Markup Language) or ASCII text must also be posted by the Web master converting the document. [7]

The "Manila Accessible ICT Design Recommendations" represent a minimum threshold in accessibility with reasonable accommodation.

These recommendations are always "under construction" to promote provision of flexibility to accommodate needs and preferences of users of electronic and information technology products and services in response to continuing technical innovations.

Notes:

1 Universal design is based on the following premises: (a) varying ability is not a special condition of the few but a common characteristic of being human and we change physically and intellectually throughout out lives; (b) if a design works well for people with disabilities, it works better for everyone; (c) at any point in our lives, personal self-esteem, identity, and well-being are deeply affected by our ability to function in our physical surroundings with a sense of comfort, independence and control; and (d) usability and aesthetics are mutually compatible < http://www.adaptenv.org/universal/index.php >. See "Report" of International Seminar on Environmental Accessibility; planning and design of accessible urban development in developing countries (Beirut, 30 November - 3 December 1999) < http://www.un.org/esa/socdev/enable/disisea.htm >. See also, Leslie Kanes Weisman, "Creating justice, sustaining life: the role of Universal Design in the 21st century"; Keynote address to Twentieth anniversary celebration, Adaptive

Environments Center (Boston, MA, April 1999), which discusses three tenets of Universal Design: "First, universal design reminds us that there is no separation between mind and body, and between people and their environments. Second, universal design recognizes that there is no separation between human health, environmental health, and social justice. Third, universal design upholds the democratic ideals of social equality and personal empowerment because universal designers strive to create products and spatial environments that are designed to provide the same level of comfort, accessibility and assistance to multiple users and multiple publics." http://www.adaptiveenvironments.org/examples/article2.php.

2 Cynthia D. Waddell, JD. "The Growing Digital Divide in Access for People with Disabilities: overcoming barriers to participation" (1999), p. 2 at < http://www.icdri.org/CynthiaW/the_digital-divide.htm >. (Hereinafter Digital Divide Paper).

3 General Assembly resolution 48/96, annex, of 20 December 1993 http://www.un.org/esa/socdev/enable/dissre00.htm.

4 Association Braille Net, "To make a site more accessible" http://www.braillenet.org/accessiblite/liuveblanc/english/accessibilite.html .

5 Digital Divide Paper, op. cit p. 10-11.

6 "Implementation of the World Programme of Action concerning Disabled Persons, report of the Secretary-General (A/54/388/Add.1)" http://www.un.org/esa/socdev/enable/disa54e6.htm#A.

7 Cynthia D. Waddell, "Overview of Law and Guidelines," Chap. 2 in Jim Thatcher et al., Constructing Accessible Web Sites, (Birmingham (UK) Glasshaus, 2002).

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